

# **Indianapolis Air Pollution Control Board**

## **Regulation 14 Emission Standards for Hazardous Air Pollutants**

(Amended November 13, 1997)

(Effective January 4, 1998)

### **Section 1. General Provisions**

1-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-1 listed below in (1) through (4).

- (1) 326 IAC 14-1-1 Applicability
- (2) 326 IAC 14-1-2 Definitions
- (3) 326 IAC 14-1-3 More stringent limitations apply
- (4) 326 IAC 14-1-4 Federal Regulations

### **Section 2. Emission Standards for Sources of Asbestos Listed in Section 1 of this Rule**

2-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-2 listed below in (1).

- (1) 326 IAC 14-2-1 Applicability; incorporation by reference of federal standards except 40 CFR 61.145, National Emission Standard for Demolition and Renovation, which are contained in Section 10 of this Regulation 14.

### **Section 3. Emission Standard for Beryllium**

3-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-3 listed below in (1).

- (1) 326 IAC 14-3-1 Applicability; incorporation by reference of federal standards

### **Section 4. Emission Standard for Beryllium Rocket Motor Firing**

4-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-4 listed below in (1).

- (1) 326 IAC 14-4-1 Applicability; incorporation by reference of federal standards

### **Section 5. Emission Standard for Mercury**

5-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-5 listed below in (1).

- (1) 326 IAC 14-5-1 Applicability; incorporation by reference of federal standards

## Section 6. Emission Standard for Vinyl Chloride

6-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-6 listed below in (1).

- (1) 326 IAC 14-6-1 Applicability; incorporation by reference of federal standards

## Section 7. Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene

7-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-7 listed below in (1).

- (1) 326 IAC 14-7-1 Applicability; incorporation by reference of federal standards

## Section 8. Emission Standard for Equipment Leaks (Fugitive Emission Sources)

8-1. The Air Pollution Control Board hereby adopts by reference and incorporates herein the provisions of 326 IAC 14-8 listed below in (1) through (5).

- (1) 326 IAC 14-8-1 Applicability
- (2) 326 IAC 14-8-2 Definitions
- (3) 326 IAC 14-8-3 Test methods and procedures
- (4) 326 IAC 14-8-4 Record keeping requirements
- (5) 326 IAC 14-8-5 Reporting requirements

## Section 9. Emission Limitations for Benzene from Furnace Coke Oven By-Product Recovery Plants

9-1. Applicability. The provision of this subsection shall apply to each of the following sources at furnace and foundry coke by-product recovery plants: tar decanters, tar storage tanks, tar-intercepting sumps, flushing-liquor circulation tanks, light-oil sumps, light-oil condensers, light-oil decanters, wash-oil decanters, wash-oil circulation tanks, naphthalene processing, final coolers, final-cooler cooling towers, and the following equipment that are intended to operate in benzene service: pumps, valves, exhausters, pressure relief devices, sampling connection systems, open-ended valves or lines, flanges or other connectors, and control devices or systems required by this subsection. The provisions of the subsection also apply to benzene storage tanks, BTX storage tanks, light-oil storage tanks, and excess ammonia-liquor storage tanks at furnace coke by-product recovery plants.

9-2. Incorporation by Reference. The Air Pollution Control Board hereby adopts by reference and incorporates herein 40 CFR Part 61, Subpart L, Emission Standard for Benzene Emission from Coke By-Product Recovery Plants. **Citations to the CFR in this subsection 9 refer to the version cited in Regulation 1-1(3).**

## Section 10. Emission Standards for Asbestos; Demolition and Renovation Operations

10-1. Purpose. The Indianapolis Air Pollution Control Board recognizes that uncontrolled asbestos removal projects emit significant quantities of asbestos fibers into the ambient air. Because inhaling asbestos may cause serious respiratory disorders such as lung cancer, pleural mesothelioma, peritoneal mesothelioma and asbestosis, the Board concludes it is imperative to prevent asbestos emissions during asbestos removal projects. The Board has adopted this Regulation 14, Section 10, to abate asbestos emissions during these projects. This Regulation 14, Section 10 creates a mechanism for the Environmental Resources Management Division to monitor and control asbestos removal. The Board has also adopted this Regulation 14, Section 10 to coordinate local asbestos abatement with State and Federal laws and regulations.

10-2. Definitions. The terms used in this Regulation 14, Section 10 are defined as follows:

- (1) "Adequately wet" means to sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.
- (2) "Administrator" means the Administrator of the Environmental Resources Management Division, Department of Public Works, City of Indianapolis.
- (3) "Asbestos" means an asbestiform variety of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonite-grunerite), anthophyllite, and actinolite.
- (4) "Asbestos-containing waste materials" means any waste that contains commercial asbestos and is generated by a source subject to the provisions of this article. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term includes RACM waste and materials contaminated with asbestos including disposable equipment and clothing.
- (5) "Asbestos material" means asbestos or any material containing asbestos.
- (6) "Asbestos removal project" means any and all activities at a facility involving the abatement, encapsulation, enclosure, renovation, repair, removal, storage, stripping, dislodging, cutting, or drilling that result in the disturbance of the following:
  - (a) at least three (3) linear feet of RACM on pipes.
  - (b) at least three (3) square feet of RACM on other facility components.
  - (c) a total of at least seventy-five hundredths (0.75) cubic feet of RACM on facility components; or
  - (d) a total of at least seventy-five hundredths (0.75) cubic feet of RACM off all facility components where the length or area could not be measured previously.

These activities include, but are not limited to, work area preparation,

- implementation of engineering controls and work practices, and work area decontamination activities required by Subsection 10-6 of this rule.
- (7) "Category I nonfriable asbestos-containing material (ACM)" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than one percent (1%) asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763\*, Section 1, Polarized Light Microscopy.
  - (8) "Category II nonfriable asbestos-containing material (ACM) means any material, excluding Category I nonfriable ACM, containing more than one percent (1%) asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763\*, Section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder either by hand pressure or mechanical forces reasonably expected to act on the material.
  - (9) "Cutting" means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.
  - (10) "Demolition" means the wrecking, or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.
  - (11) "Emergency renovation operation" means a renovation or operation that was not planned, but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, or is necessary to protect equipment from damage. This term includes operations necessitated by nonroutine failures of equipment.
  - (12) "Facility" means any institutional, commercial, public, industrial, or residential structure, installation or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four (4) or fewer dwelling units), any ship, and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation or building. Any structure, installation or building that was previously subject to 326 IAC 14 is not excluded, regardless of its current use or function.
  - (13) "Facility component" means any part of a facility, including equipment.
  - (14) "Friable asbestos material" means any material containing more than one percent (1%) asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763\*, Section 1, Polarized Light Microscopy, that, when dry, can be crumbled, pulverized, or reduced to powder either by hand pressure or mechanical forces reasonably expected to act on the material. If the asbestos content is less than ten percent (10%) as determined by a method other than point counting by Polarized Light Microscopy (PLM), verify the asbestos content by point counting using PLM.
  - (15) "Glove bag" means a sealed compartment with attached inner gloves used for the handling of asbestos-containing materials. Properly installed and used, glove bags provide a small work area enclosure typically used for small-scale asbestos stripping operations.

Information on glove-bag installation, equipment and supplies, and work practices is contained in the Occupational Safety and Health Administration's (OSHA) final rule on occupational exposure to asbestos (Appendix G to 29 CFR 1926.1101)\*.

- (16) "Grinding" means to reduce to powder or small fragments and includes mechanical chipping or drilling.
- (17) "HEPA filter" means a high efficiency particulate air filter capable of trapping and retaining at least ninety-nine and ninety-seven hundredths percent (99.97 %) of all monodispersed particles of three tenths (0.3) micrometers in diameter or larger.
- (18) "In poor condition" means the binding of the material is losing its integrity as indicated by peeling, cracking, or crumbling of the material.
- (19) "Installation" means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator (or owner or operator under common control) including, but not limited to, a group of residential buildings being demolished as part of an urban renewals project or highway project.
- (20) "Leak-tight" means that solids or liquids cannot escape or spill out. It also means dust-tight.
- (21) "Malfunction" means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner so that emissions of asbestos are increased. Failures of equipment shall not be considered malfunctions if they are caused in any way by poor maintenance, careless operation, or any other preventable upset conditions, equipment breakdown, or process failure.
- (22) "Nonfriable asbestos-containing material" means any material containing more than one percent (1%) asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763\*, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder either by hand pressure or mechanical forces reasonably expected to act on the material.
- (23) "Nonscheduled renovation operation" means a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted.
- (24) "Ordered demolition" means demolition of a facility under an order of a state or local government agency, issued because the facility is both structurally unsound and in danger of imminent collapse.
- (25) "Outside air" means the air outside buildings and structures, including, but not limited to, the air under a bridge or in an open air ferry dock.
- (26) "Owner or operator of a demolition or renovation activity" means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

- (27) "Particulate asbestos material" means finely divided particles of asbestos or material containing asbestos.
- (28) "Planned renovation operations" means a renovation operation, or a number of such operations, in which some RACM will be removed or stripped within a given period of time and that can be predicted. Individual nonscheduled operations are included if a number of such operations can be predicted to occur during a given period of time based on operating experience.
- (29) "Regulated asbestos-containing material (RACM)" means the following:
- (a) Friable asbestos material;
  - (b) Category I nonfriable ACM that has become friable;
  - (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, abrading, burning; or
  - (d) Category II nonfriable ACM that a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this article.
  - (e) The term does not include nonfriable asbestos-containing resilient floor covering materials unless the materials are sanded, beadblasted, or mechanically pulverized so that visible asbestos emissions are discharged or the materials are burned. Resilient floor covering materials include the following:
    - (i) Sheet vinyl flooring.
    - (ii) Resilient tile.
    - (iii) Associated adhesives.
- (30) "Remove" means to take out RACM or facility components that contain or are covered with RACM from any facility.
- (31) "Renovation" means altering a facility or one (1) or more facility components in any way, including the stripping or removal of RACM from a facility component together with any related handling operation. Operations in which load-supporting structural members are wrecked or taken out are demolitions.
- (32) "Resilient floor covering" means asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than one percent (1%) asbestos as determined using Polarized Light Microscopy according to the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy\*.
- (33) "Strip" means to take off RACM from any part of a facility or facility components.
- (34) "Structural member" means any load-supporting member of a facility, such as beams and load-supporting walls; or any nonload-supporting member, such as ceilings and non-load supporting walls.
- (35) "Visible emissions" means any emissions, which are visually detectable without the aid of instruments, emitted from RACM or asbestos-containing waste material, or from any asbestos milling manufacturing, or fabricating operation.

- This does not include condensed uncombined water vapor.
- (36) "Waste generator" means any owner or operator of a source covered by this article whose act or process produces asbestos-containing waste material.
  - (37) "Waste shipment record" means the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of the asbestos-containing waste material.
  - (38) "Work area" means the facility, room or portion of a facility or room where an asbestos removal project is about to occur, is in progress, or has been completed, extending to the point where access to the area, as indicated by either the plastic or poly which forms and surrounds the containment area, or demarcation by signs(s) or barrier tape, including, but not limited to, the glove bag operation area, is limited to those workers or supervisors, or other persons authorized by the employer and required by work duties to be present in regulated areas, implementing the asbestos removal project.
  - (39) "Working day" means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

### 10-3. Applicability.

- (1) This Regulation 14, Section 10 applies to demolitions and renovations at a facility within Marion County, Indiana.
- (2) To determine which requirements of this Subsection 10-3 and Subsections 10-5 through 10-6 of this Regulation 14, Section 10 apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, the owner or operator shall use an Indiana accredited asbestos inspector to inspect thoroughly the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos-containing material. The requirements of Subsections 10-5 through 10-6 apply to each owner or operator of a demolition or renovation activity, including the removal of regulated asbestos-containing material (RACM). In a facility being demolished, all of the following apply:
  - (a) All the notification requirements of Subsection 10-5 of this rule apply and a notification is required even if no asbestos is present.
  - (b) All the emission control requirements of Subsection 10-6, except as provided in Subsection 10-2(3) for ordered demolition operations, if the combined amount of regulated asbestos-containing material is:
    - (i) at least three (3) linear feet on pipes;
    - (ii) at least three (3) square feet on other facility components;
    - (iii) a total of at least seventy-five hundredths (0.75) cubic feet on all facility components.
- (3) In a facility being demolished under an order of a state or local government

agency, because the facility is both structurally unsound and in danger of imminent collapse, all of the following shall apply:

- (a) Only the notification requirements in Subsection 10-5 and the emissions control requirements in Subsection 10-6(4) through 10-6(8) and 10-6(11) through 10-6(12) shall apply.
  - (b) The owner or operator must assume the debris in the wreckage is contaminated with RACM and dispose of all demolition debris as RACM unless an accredited Indiana inspector has thoroughly inspected the affected facility and certifies that no RACM is present.
  - (c) All RACM and any asbestos-contaminated debris or assumed RACM shall be properly disposed of at a waste disposal site operated in accordance with the requirements of 40 CFR 61.150\* and 329 IAC 2-21.
- (4) In a facility being renovated, including any individual, nonscheduled renovation operation, the following shall apply:
- (a) All the notification requirements of Subsection 10-5 of this rule apply, if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is:
    - (i) at least twenty-five (25) linear feet on pipes; or
    - (ii) at least fifteen (15) square feet on other facility components; or
    - (iii) a total of at least thirty-five (35) cubic feet on all facility components.
  - (b) All the emission control requirements of Subsection 10-6 of this rule apply, if the combined amount of regulated asbestos-containing material to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is:
    - (i) at least three (3) linear feet on pipes; or
    - (ii) at least three (3) square feet on other facility components; or
    - (iii) a total of at least seventy-five hundredths (0.75) cubic feet on all facility components.
- (5) For emergency renovation projects the following shall apply:
- (a) the owner or operator must estimate the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed as a result of the sudden, unexpected event that necessitated the renovation. All the notification requirements of Subsection 10-5 apply, if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is as follows:



- (i) at least twenty-five (25) linear feet on pipes; or
  - (ii) at least fifteen (15) square feet on other facility components; or
  - (iii) a total of at least thirty-five (35) cubic feet on all facility components.
- (b) All the emission control requirements of Section 10-6 apply, if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is as follows:
  - (i) at least three (3) linear feet on pipes; or
  - (ii) at least three (3) square feet on other facility components; or
  - (iii) a total of at least seventy-five hundredths (0.75) cubic feet on all facility components.
- (6) For any planned renovation operations involving individual, nonscheduled operations the following shall apply:
  - (a) The owner or operator must estimate the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed during a calendar year of January 1 through December 31.
  - (b) All the notification requirements of Subsection 10-5 apply, if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is:
    - (i) at least two hundred sixty (260) linear feet on pipes; or
    - (ii) at least one hundred sixty (160) square feet on other facility components; or
    - (iii) a total of at least thirty-five (35) cubic feet on all facility components.
  - (c) For any planned renovation operations involving individual nonscheduled operations, all the emission control requirements of Subsection 10-6 apply regardless of the size of the job or whether or not the 'to date' cumulative amount of RACM has exceeded the threshold amount of the following:
    - (i) at least three (3) linear feet on pipes; or
    - (ii) at least three (3) square feet on other facility components; or
    - (iii) a total of at least seventy-five hundredths (0.75) cubic feet on all facility components.
- (7) For any operations described in Subsections 10-3(2) through (6), if circumstances prohibit accurate measurement of RACM present prior to removal, and it becomes apparent during removal that the amount of RACM exceed the applicable quantities, removal is to cease immediately and the

following shall apply:

- (a) All the notification requirements of Section 10-5 apply, if the combined amount of RACM on or off all facility components is at least thirty-five (35) cubic feet; or:
  - (i) at least twenty-five (25) linear feet on pipes; or
  - (ii) at least fifteen (15) square feet on other facility components; or
- (b) All the emission control requirements of Subsection 10-6 apply if the amount of RACM on or off all facility components is at least seventy-five hundredths (0.75) cubic feet; or
  - (i) at least three (3) linear feet on pipes; or
  - (ii) at least three (3) square feet on other facility components.
- (8) In lieu of following the procedures in Subsections 10-3(4)(a) and 10-3(5)(a), an owner/operator with a regular asbestos removal/maintenance program at its own facilities may fulfill the notification requirements of this regulation as follows:
  - (a) The owner/operator obtains written approval from the Administrator to submit notification as specified in paragraphs (b) and (c) of this Subsection 10-3(8).
  - (b) The owner/operator submits quarterly reports due on the last business day of January, April, July and October of each year. The quarterly report shall include the following information:
    - (i) The name and address of the owner/operator and the facility address, if different;
    - (ii) The name and address of any independent contractor employed to remove asbestos from the facility;
    - (iii) A description of all asbestos removals for the most recent quarter, including the amount of friable asbestos materials involved, the location of the materials, the removal dates, the removal technique and the disposal site of the asbestos waste;
    - (iv) A description of all removals anticipated for the current quarter, including the amount of RACM involved and the disposal site of the asbestos waste, and if possible, the location of the removal, the removal dates and the removal technique.
  - (c) The owner/operator submits a Notice of Intent to the Division at least ten working days before beginning any renovation involving at least 260 linear feet of RACM on pipes or at least 160 square feet of RACM on other facility components. For emergency renovations of this size, the operator may follow the procedures in Subsection 10-3(5)(a).

#### 10-4. Certificates of Operation

- (1) No operator shall remove friable asbestos materials from a facility without a valid Certificate of Operation issued by the Division pursuant to Chapter 4 of the Code of Indianapolis and Marion County, Indiana.
- (2) Each operator shall apply for and obtain a Certificate of Operation by complying with the following provisions:
  - (a) The applicant shall complete a Certificate of Operation Application and submit the completed application to the Section. The applicant shall submit, at a minimum, the following information:
    - (i) The applicant's name and address;
    - (ii) A description of the applicant's experience in removing asbestos;
    - (iii) A description of employees' asbestos removal training and/or certification;
    - (iv) A description of equipment used during asbestos removal, including the age and condition of the equipment;
    - (v) A description of asbestos removal methods utilized;
    - (vi) A description of disposal methods utilized.
    - (vii) A description of any previous enforcement actions against the applicant for alleged violations of Federal, State or local asbestos regulations.
  - (b) The applicant shall demonstrate that all project supervisors at renovations involving at least 25 linear feet or 15 square feet of friable asbestos materials and at demolitions where friable asbestos materials are present have completed an asbestos training course which meets the requirements of 326 IAC 18-3 (State of Indiana asbestos accreditation requirements).
  - (c) The applicant shall submit to the Division an initial fee that is due when submitting the application pursuant to Chapter 4 of the Code of Indianapolis and Marion County, Indiana. Each year the applicant shall also submit to the Division an Administrative Fee due January 31 pursuant to Chapter 4 of the Code of Indianapolis and Marion County, Indiana. Failure to pay fees shall render the Certificate of Operation invalid.
- (3) The Division shall issue a Certificate if the Division is satisfied that the application is complete and that the applicant will comply with all Federal, State and local laws, regulations and Certificate conditions. If an applicant has been denied a Certificate because of an incomplete application, he may re-submit a complete application.
- (4) The Certificate will remain valid for two (2) years from date of issuance, unless

revoked pursuant to Subsection 10-8. An operator may renew a Certificate by submitting a complete application at least thirty (30) days prior to expiration of the current Certificate. The Division shall renew the Certificate if the Division is satisfied that the holder has complied and will comply in the future with all permit conditions and local, State and Federal laws and regulations.

- (5) The Division may attach conditions to the Certificate of Operation as appropriate or necessary to abate asbestos emissions and to protect air quality and public health. Furthermore, the Administrator may modify the conditions at any time after issuance of the Certificate if:
- (a) The Administrator or his agent has consulted with the operator about the modification; and
  - (b) The modification is necessary to abate asbestos emissions and to protect public health; and
  - (c) The modifications will ensure compliance with all laws and regulations and will not interfere with compliance with any other laws or regulations; and
  - (d) The Administrator notifies the operator in writing of the modification and the reasons for the modification.

The Administrator may modify conditions upon the request of an operator.

10-5. Notice of Intent. Each owner or operator of a demolition or renovation activity to whom this Subsection 10-5 applies shall:

- (1) Provide the Administrator with written notice of intention to demolish or renovate on a form provided by the Administrator and update such notice as necessary, including, but not limited to, the following:
- (a) when the amount of affected asbestos-containing material increases or decreases by at least twenty percent (20%); or
  - (b) if there is a change in the following:
    - (i) asbestos removal or demolition start date;
    - (ii) removal or demolition contractor; or
    - (iii) waste disposal site.
- (2) Postmark or deliver the notice as follows:
- (a) At least ten (10) working days before asbestos stripping or removal work or any other activity, such as site preparation, begins that would break up, dislodge or similarly disturb asbestos material if the operation is a demolition operation as described in subsection 10-3(2) and the facility contains at least three (3) square feet, three (3) linear feet, or seventy-five hundredths (0.75) cubic feet of RACM.

- (b) At least ten (10) working days before demolition begins if the operation is a demolition operation described in Subsection 10-3(2) and the facility contains less than three (3) square feet, three (3) linear feet, or seventy-five hundredths (0.75) cubic feet of RACM or there is no RACM in the facility.
  - (c) As early as possible before demolition begins if the operation is an ordered demolition operation described in Subsection 10-3(3).
  - (d) At least ten (10) working days before asbestos stripping or removal work or any other activity, such as site preparation, begins that would break up, dislodge or similarly disturb asbestos material, begins if the operation is a renovation operation described in Subsection 10-3(4).
  - (e) As early as possible before asbestos stripping or removal work begins, but not later than the following working day, if the operation is an emergency renovation operation described in Subsection 10-3(5).
  - (f) At least ten (10) working days before the end of the calendar year preceding the year for which notice is being given for planned renovation operations involving individual nonscheduled operations described in Subsection 10-3(6).
  - (g) Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable. A copy of the previous notification being revised shall be attached to the new revised notification.
  - (h) In the case of a revised notice, a copy of the original notice shall be attached.
- (3) Include the following information in the notice:
- (a) An indication of whether the notice is the original, a revised, or canceled copy, if applicable.
  - (b) The name, address, and telephone number of both the facility owner and operator, the asbestos removal contractor owner or operator, and the demolition contractor owner or operator.
  - (c) Type of operation: demolition, demolition by intentional burning, ordered demolition, renovation, emergency renovation, or planned nonscheduled renovation (annual notice).
  - (d) A description of the facility or affected part of the facility including the size in square feet, number of floors, age and present and prior use of the facility.
  - (e) Procedure, including analytical methods, employed to detect the presence and amount of RACM and Category I and Category II nonfriable ACM.
  - (f) Estimate of the approximate amount of RACM to be removed in the facility in terms of linear feet of pipe, square feet on other facility components, total cubic feet on all facility components, or total amount off all facility components where the length or area could not be measured previously. Also estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not

- be removed before demolition.
- (g) Location and street address, including building number or name and floor or room number, if appropriate, city, county, and state, of the facility being demolished or renovated.
  - (h) Scheduled starting and completion dates of the asbestos removal project as defined in Subsection 10-2(6), such as site preparation that would break up, dislodge, or similarly disturb RACM in a demolition or renovation. Planned renovation operations involving individual, nonscheduled operations shall only include the beginning and ending dates of the report period as described in Subsection 10-3(6).
  - (i) For renovation operations, scheduled starting and completion dates of the renovation project.
  - (j) For demolition operations, scheduled starting and completion dates of the actual facility demolition.
  - (k) Description of planned demolition or renovation work to be performed and methods to be employed, including demolition or renovation techniques to be used and a description of the affected facility components.
  - (l) Description of work practices and engineering controls to be used to comply with this rule, including RACM removal and waste handling emission control procedures.
  - (m) Description of procedures to be followed in the event that unexpected RACM is found or Category I or Category II nonfriable ACM becomes crumbled, pulverized or reduced to powder.
  - (n) Name and location of the waste disposal site where the asbestos-containing waste material will be deposited.
  - (o) A signed certification from the owner or operator that at least one (1) person trained as required by 40 CFR Part 61\*, Subpart M, 61.145, paragraph (c)(8) will supervise the stripping and removal described by this notification.
  - (p) A signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana accredited workers and project supervisors will be used to implement the asbestos removal project.
  - (q) For facilities described in Subsection 10-3(3), the name, title and authority of the state or local governmental representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification.
  - (r) For demolition and renovation projects described in Subsections 10-3(2) through (6) of this rule, include the name, address, telephone number, and accreditation number issued under 326 IAC 18 of the following:
    - (i) person who inspected the facility for RACM;
    - (ii) person who designed the asbestos removal project if RACM is present, if applicable; and

- (iii) person who will implement the asbestos removal project if RACM is present.
  - (s) For emergency renovations described in Subsection 10-3(5), the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition or would cause equipment damage.
  - (t) The name, address, and telephone number of the waste transporter.
- (4) When the stripping or removal of asbestos-containing material in demolition or renovation operations described in Subsections 10-3(2) and (4) will begin:
  - (a) On a date after the date specified in the original or the most recent revised notification, provide written notice of the new stripping or removal start date to the Administrator postmarked at least five (5) working days or delivered at least two (2) working days before the start date of asbestos stripping or removal specified in the notification that is being revised.
  - (b) On a date earlier than the date specified in the original or the most recent revised notification, provide written notice of the new stripping or removal start date to the Administrator postmarked or delivered at least ten (10) working days before the start date of asbestos stripping or removal work begins.
- (5) When the demolition described in Subsections 10-3(2) through (3) of this rule, including the demolition of facilities with no asbestos, will begin on a date later than the date specified in the original or the most recent revised notification, written notice of the new demolition start date must be provided to the Administrator postmarked at least:
  - (a) five (5) working days; or
  - (b) delivered at least two (2) working days before the start date of demolition specified in the notification that is being revised.
- (6) When the demolition described in Subsections 10-3(2) through (3), including the demolition of facilities with no asbestos, will begin on a date earlier than the date specified in the original or the most recent revised notification, written notice of the new demolition start date must be provided to the Administrator postmarked at least ten (10) working days before the start date of demolition.
- (7) In no event shall RACM removal work (or any other activity, including site preparation that would break up, dislodge, or similarly disturb asbestos material) or demolition activities begin on a date other than the date contained in the most recent written notification.

10-6. General Requirements: Procedures for Asbestos Emission Control. Each owner or operator of a demolition or renovation activity to whom this Subsection 10-6

applies, according to Subsection 10-3, shall comply with the following emission control procedures:

- (1) Remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. However, RACM need not be removed before demolition if:
  - (a) it is Category I nonfriable ACM that is not in poor condition, is not friable, and will not become friable during demolition;
  - (b) it is on a facility component that is encased in concrete or other similarly hard material and is adequately wet whenever exposed during demolition;
  - (c) it was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as asbestos-containing waste material and must be adequately wet at all times until properly disposed of at a waste disposal site operated in accordance with the requirements of 40 CFR 61.150\* and 329 IAC 2-21;
  - (d) they are Category II nonfriable ACM and the probability is low that the materials will become crumbled, pulverized, or reduced to powder during demolition.
- (2) When a facility component that contains, is covered with, or is coated with RACM is being taken out of the facility as a unit or in sections, the following shall occur:
  - (a) adequately wet all RACM exposed during cutting or disjoining operations; and
  - (b) carefully lower each unit or section to the floor and to ground level, not dropping, throwing, sliding, or otherwise damaging or disturbing the RACM.
- (3) When RACM is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation. In renovation operations, wetting is not required if:
  - (a) the owner or operator has obtained prior written approval from the Administrator based on a written application that wetting to comply with this subdivision would unavoidably damage equipment or present a safety hazard; and
  - (b) the owner or operator uses one (1) or more of the following emission control methods:



- (i) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in 40 CFR 61.152\*.
    - (ii) A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials.
    - (iii) Leak-tight wrapping to contain all RACM prior to dismantlement.
  - (c) In renovation operations where wetting would result in equipment damage or a safety hazard, and the methods allowed in paragraph (3)(b) of this Subsection 10-6 cannot be used, another method may be used after obtaining written approval from the Administrator based upon a determination that it is equivalent to wetting in controlling emissions or to the methods allowed in paragraph (3)(b) of this Subsection 10-6.
  - (d) A copy of the Administrator's written approval shall be kept at the worksite and made available for inspection.
  - (e) Denial by the Administrator of prior written approval referenced in paragraph (a) or (c) of this Subsection 10-6 may be appealed pursuant to Section 4-80 of Chapter 4 of the Code of Indianapolis and Marion County, Indiana.
- (4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections under paragraph (2) of this Subsection 10-6, it shall be stripped or contained in leak-tight wrapping, except as described in paragraph (5) of this Subsection 10-6. If stripped, perform either of the following:
- (a) Adequately wet RACM during stripping; or
  - (b) Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in 40 CFR 61.152\*.
- (5) For large facility components such as reactor vessels, large tanks, and steam generators, but not beams, which must be handled in accordance with paragraphs (2) through (4) of this Subsection 10-6, the RACM is not required to be stripped if the following requirements are met:
- (a) The component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM;
  - (b) The component is encased in a leak-tight wrapping; and

- (c) The leak-tight wrapping is labeled according to 40 CFR 61.149 (d)(1)(i), (ii), and (iii)\* during all loading and unloading operations and during storage.
- (6) For all RACM, including material that has been removed or stripped:
- (a) Adequately wet the material and ensure that it remains wet until collected and contained or treated for disposal and is disposed of in accordance with 40 CFR 61.150\* and 329 IAC 2-21 (RACM shall be adequately wet throughout all stages of disposal).
  - (b) Carefully lower the materials to the ground and floor, not dropping, throwing, sliding, or otherwise damaging or disturbing the material.
  - (c) Transport the material to the ground via leak-tight chutes or containers if it has been removed or stripped more than fifty (50) feet above ground level and was not removed as units or in sections.
  - (d) RACM contained in leak-tight wrapping that has been removed in accordance with paragraphs 3(b)(iii), 4, or 7(b)(ii)(cc) of this Subsection 10-6 (leak-tight wrapping to contain all RACM prior to dismantlement) need not be wetted.
- (7) When the temperature at the point of wetting is below zero degrees Celsius (0° C) (thirty-two degrees Fahrenheit (32° F)), the owner or operator must proceed with the following:
- (a) Remove facility components containing, coated with, or covered with RACM as units or in sections to the maximum extent possible.
  - (b) During periods when wetting operations are suspended due to freezing temperatures:
    - (i) record the temperature in the area containing the facility components at the beginning, middle, and end of each workday and keep daily temperature records available for inspection by the Administrator at the demolition or renovation site and retain the temperature records for at least two (2) years;
    - (ii) use one (1) or more of the following emission control methods:
      - (aa) a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air and be designed and operated in accordance with the requirements of 40 CFR 61.152\*; or
      - (bb) a glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials; or

- (cc) leak-tight wrapping to contain all RACM prior to dismantlement.
- (8) For facilities described in Subsection 10-3(3) undergoing an ordered demolition, adequately wet the portion of the facility that contains RACM and suspect RACM during the wrecking, cleanup, disposal, and related handling operations.
- (9) Upon completion of stripping and removal operations for demolition projects described in Subsection 10-3(2) and renovation projects described in Subsection 10-3(4) through (7), collect visible contamination of asbestos by employing one (1) or both of the following cleaning procedures:
  - (a) Vacuum all surfaces in the work area using a vacuum equipped with a HEPA filter and remove all standing water.
  - (b) Wet wipe or wet mop all surfaces in the work area and remove all standing water.
- (10) Upon completion of the cleanup requirements identified in paragraph (a) of this Subsection 10-6, an Indiana accredited supervisor, prior to the removal of the warning signs or other demarcation of the work area, shall perform a final visual inspection of the work area for visible suspect RACM debris. If visible suspect RACM debris is discovered, then the requirements of paragraph (a) of this Subsection 10-6 shall be repeated until all visible suspect RACM debris has been removed.

Upon completion of the above, the accredited supervisor shall certify in writing that the final visual inspection was completed and the work area is free of all visible suspect asbestos debris. This certification shall also include the date of the final visual inspection, the location of the asbestos removal project and the accredited supervisor's signature. The certification shall be retained by the owner or operator of a demolition or renovation activity for a period of at least three (3) years from the date of the final visual inspection and must be made available upon request from the Division. A copy of the certification shall also be sent to the building owner.

- (11) For any RACM or suspect RACM:
  - (a) Any stripped, disturbed, or removed friable asbestos materials that are in a leak-tight wrapping and left at a facility or stored elsewhere prior to disposal, must be securely stored in a manner that restricts access by unauthorized persons to the material. The material must be stored in locked containers, rooms, trucks or trailers. Asbestos warning signs or labels must be prominently displayed on the door of the locked containers, rooms, trucks or trailers. If such secure areas are not available, other security measures must be employed, including the use of barriers, security guards or other measures approved by the

Administrator. Asbestos warning labels must be posted in all areas where asbestos is stored.

- (b) When an ongoing asbestos project is interrupted for any nonemergency situation, all RACM that was disturbed, stripped or removed must be wetted and placed into leak-tight wrapping and stored in a manner consistent with paragraph (11) of this Subsection 10-6. If the RACM that was stripped, disturbed, or removed is not, or cannot be, collected and placed into leak-tight wrapping and stored during the abatement interruption, an accredited Indiana worker or supervisor must remain at the job site to prevent unauthorized persons from entering the work area. Asbestos warning signs or labels must be posted on all entrances and exits to the work area.
- (12) If a facility is demolished by intentional burning, all RACM, including Category I and Category II nonfriable ACM, must be removed in accordance with this rule before burning. Asbestos-containing material may not be burned.
  - (13) No asbestos removal project shall be implemented at a facility regulated by this rule unless at least one (1) Indiana accredited asbestos project supervisor, trained in the provisions of this rule, 40 CFR Part 61, Subpart M\*, and 326 IAC 14-10, and the means of complying with them, is present on site in the work area during the asbestos removal project. Every year, the Indiana accredited project supervisor shall receive refresher training from an Indiana approved asbestos project supervisor course as provided for in 326 IAC 18 and 40 CFR Part 61, Subpart M\*.
- The required training shall include as a minimum the following:
- (a) Applicability.
  - (b) Notifications.
  - (c) Material identification.
  - (d) Control procedures for removals including, at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and High Efficiency Particulate Air (HEPA) filters.
  - (e) Waste disposal work practices.
  - (f) Reporting and recordkeeping.
  - (g) Asbestos hazards and worker protection.

Evidence that the required training has been completed shall be posted and made available for inspection by the Section at demolition or renovation site.

#### 10-7. Residential Asbestos Removal

- (1) If the owner of a single family residence, duplex or apartment building with less than four (4) dwelling units hires an operator to remove RACM, then the operator removing the RACM and the owner shall comply with all applicable provisions of this regulation.

- (2) If the owner of a single family residence, duplex or apartment building with less than four (4) dwelling units does not hire an operator to remove RACM, then in lieu of complying with Subsections 10-4, 10-5, and 10-6, the owner removing the materials, at a minimum, shall comply with the following procedures:
- (a) Notify the Division by telephone at least three (3) business days before removing any RACM;
  - (b) Inform the Division of the removal dates and the approximate amount of RACM which will be removed;
  - (c) Adequately wet the material with water before, during and after stripping the material or removing units or sections.
  - (d) Place the material in leak-tight containers. When using plastic bags, regulations of the Office of Solid and Hazardous Waste, Indiana Department of Environmental Management, require the bags to be the equivalent of six (6) mils thick.
  - (e) Seal the bags with tape.
  - (f) Label the bags with warning labels.
  - (g) Wet wipe and mop the work area.
  - (h) Dispose of the waste at a landfill approved by the Administrator.
  - (i) Inform the landfill operator that the waste contains asbestos.
  - (j) No person shall discharge visible emissions of asbestos outside a containment bag, work area or facility.

#### 10-8. Violation and Permit Revocations

- (1) No person, except as provided in Subsection 10-7(2), shall:
- (a) Remove RACM at a demolition or renovation without a valid Certificate of Operation; or
  - (b) Remove RACM at a demolition or renovation or demolish a facility without submitting a Notice of Intent pursuant to Subsection 10-5; or
  - (c) Fail to comply with any applicable provision of this regulation; or
  - (d) Fail to comply with any condition attached to a Certificate of Operation.
  - (e) Remove RACM after being ordered to stop by the Administrator, pursuant to Chapter 4 of the Code of Indianapolis and Marion County, Indiana.
- (2) No owner shall:
- (a) Allow an operator who does not hold a valid Certificate of Operation to remove RACM from a facility; or
  - (b) Allow an operator who has not submitted a Notice of Intent according to the provisions of Subsection 10-5 to remove RACM from a facility or to demolish a facility; or
  - (c) Allow a person to demolish or renovate a facility or part of the facility where a demolition or renovation operation will occur before removing

- RACM which has a high probability of being disturbed. This provision does not apply to ordered demolitions; or
- (d) Allow an operator who fails to comply with the provisions of Subsection 10-6 to remove RACM from a facility.
- (3) The Division may revoke a Certificate of Operation for any of the following causes:
- (a) Violation of a Certificate of Operation condition or Section 10 of this Regulation 14 or Chapter 4 of the Code of Indianapolis and Marion County, Indiana.
  - (b) Failure to disclose relevant information or misrepresentation of information when obtaining a Certificate of Operation or when submitting a Notice of Intent.
  - (c) Failure to pay annual Administrative Fees as required by Chapter 4 of the Code of Indianapolis and Marion County, Indiana, and Subsection 10-4(2)(c).
  - (d) Removing RACM after being ordered to stop by the Administrator, pursuant to Chapter 4 of the Code of Indianapolis and Marion County, Indiana.
  - (e) Any other cause which, in the judgment of the Administrator, creates conditions where continued existence of the Certificate is inconsistent with safe asbestos abatement and protecting public health and air quality.

#### 10-9. Enforcement Procedures, Penalties and Appeals

- (1) The Administrator shall enforce this regulation pursuant to the authority in Chapter 4 of the Code of Indianapolis and Marion County, Indiana. Such enforcement may include penalties as provided in Chapter 4.
- (2) Decisions, rulings, orders and other actions of the Administrator may be appealed to the Board pursuant to Section 4-80 of the Code of Indianapolis and Marion County, Indiana.

\* Copies of the Code of Federal Regulations (CFR) may be obtained from the Government Printing Office, Washington, D.C. 20402; from the Indiana Department of Environmental Management, Office of Air Management, P.O. Box 6015, Indianapolis, IN 46206-6015; and from the Indianapolis Air Pollution Control Section, 2700 South Belmont Avenue, Indianapolis, IN 46221.

Documents incorporated by reference are available from the Indiana Department of Environmental Management, Indiana Government Center, 100 North Senate Avenue, Indianapolis, IN 46204-2220, or the Indianapolis Air Quality Management Section, 2700 South Belmont Avenue, Indianapolis, Indiana 46221. (317-327-2234)